

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEPHEN S. WALKER and GLORIA
S. WALKER,

Plaintiffs,

Civil No. 07-1829-ST

v.

ORDER

METROPOLITAN LIFE INSURANCE
COMPANY, a New York corporation, and
NEW ENGLAND MUTUAL LIFE
INSURANCE COMPANY, doing business
as NEW ENGLAND FINANCIAL, a
Massachusetts corporation

Defendants.

HAGGERTY, Chief Judge:

Magistrate Judge Stewart has issued a Findings and Recommendation [13] in this action. The Magistrate Judge recommended that defendants' Motion to Dismiss [6] be granted with leave to replead the Third Claim alleging fraud. No objections were filed, and the case was referred to me.

The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation of the Magistrate. *Campbell v. United States Dist. Ct.*, 501 F.2d 196 (9th Cir. 1974).

No clear error appears on the face of the record. This court adopts the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Magistrate Judge's Findings and Recommendation [13] is ADOPTED, defendants' Motion to Dismiss [6] is GRANTED with leave to replead the Third Claim alleging fraud.
IT IS SO ORDERED.

Dated this 17 day of March, 2008.

/s/ Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge